

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:19-CR-00027-MOC-WCM-4

UNITED STATES OF AMERICA

v.

LINDA MICHELLE PATINO

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ORDER

This matter is before the Court on Government's Motion to Seal Exhibit to Response (Doc. 132), which seeks an order sealing Exhibit 1 to the Government's Response to Defendant's Motion for Compassionate Release (Doc. 131, Exhibit 1).

In evaluating a motion to seal, the Court must "(1) provide public notice of the request to seal and allow interested parties a reasonable opportunity to object, (2) consider less drastic alternatives to sealing the documents, and (3) provide specific reasons and factual findings supporting its decision to seal the documents and for rejecting the alternatives." Ashcraft v. Conoco, Inc., 218 F.3d 288, 302 (4th Cir. 2000).

The undersigned has considered the Motion to Seal, the public's interest in access to the Exhibit, and alternatives to sealing.

The Exhibit contains Defendant's personal medical records, including information on Defendant's physical health, diagnoses, and personal identifying information.

The Motion to Seal has appeared on the docket since the Government filed it on October 8, 2021. The Motion does not indicate Defendant's position, however the Motion states the Government is asking for the sealing of these materials out of concern for Defendant's own privacy.

Under these circumstances, the undersigned concludes that the Government has made the required showing and will allow the Motion, subject to further consideration should a motion to unseal the Exhibit be made at a later time.

IT IS THEREFORE ORDERED THAT the Government's Motion to Seal Exhibit to Response (Doc. 132) is **GRANTED**, and Exhibit 1 to the Government's Response to Defendant's Motion for Compassionate Release (Doc. 131, Exhibit 1) is **SEALED** and shall remain sealed until further Order of the Court.

Signed: October 13, 2021



W. Carleton Metcalf
United States Magistrate Judge

